

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

V.

BRANDON KIDDER

Defendant

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**AFFIDAVIT IN SUPPORT  
OF RULE 12.2 NOTICE  
OF AN INSANITY DEFENSE**  
Case No. 20-mj-1010

I Michael R. Zosh, Esq. authorized to appear in the United States District Court Western District of New York and have been retained to represent the Defendant, Brandon Kidder, in the criminal matter now before the Court. I, Michael R. Zosh, being duly sworn, depose and say:

1. I am familiar with the charges against the Defendant and based on my conversations with the Defendant and his family we are requesting the Court order the Defendant to a Competency examination under 18 U.S.C. 4221.

2. Additionally, the Defendant is providing notice of an intent to argue an insanity defense and pursuant to Rule 12.2(a) put the government on notice.

3. The Defendant does not have an expert at this time but it is our position that the mental examination discussed at the last Court proceeding should include that the defense intends to assert a defense of insanity at the time of the alleged offenses contained in the criminal complaint.

DATED: Akron, New York  
13 March 2020

  
Michael R. Zosh, Esq.

Sworn and Subscribed to before me  
On this 13<sup>th</sup> Day of March 2020.

  
Notary Public

Karen M. Foley  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires May 11, 2023